REMARKS/ARGUMENTS

Claims Rejections – 35 USC § 112

In the outstanding Office Action, claims 1-32 are rejected under 36 USC 112, second paragraph, as being indefinite.

A clerical error has been corrected in claims 1, 30, 31 and 32 to replace the word "rotor" by the word -- stator -- and thereby clarify these claims.

Claims Rejections – 35 USC § 102

The examiner has rejected claims 1 and 30-32 under 35 USC 102(b) as being anticipated by Yamane (US 6,005,312).

In the outstanding Office Action, the Examiner states that claims 1 and 30-32 are anticipated by Yamane. The Examiner argues that Yamane shows a cooling device (numeral 7) and that a biasing element (numeral 4f) is used.

The applicant respectfully disagrees with the Examiner's statement of anticipation for at least two reasons. First, the element bearing the numeral 7 of Yamane is not a cooling device but is a bearing housing as can be understood from column 3, lines 56 to 58. While the disclosure of Yamane states that the bearing housing 7 may conduct heat away from the stator, it is not its primary function. Second, the fixing member (numeral 4f) is not a biasing element. Indeed, Yamane does not teach the operation of the fixing member 4f and shows it as two plates in Figure 1. Nothing is Yamane's disclosure indicates that a biasing action to bias a contact surface of the body against the internal surface of the stator occurs.

It is therefore respectfully requested that the anticipation rejection based on Yamane be removed.

The examiner has rejected claims 1 and 30-32 under 35 USC 102(b) as being anticipated by Couture *et al.* (US 5,438,228).

In the outstanding Office Action, the Examiner states that claims 1 and 30-32 are anticipated by Couture *et al.* The Examiner argues that Couture *et al.* shows a cooling device (numeral 13, 34) and that a biasing element (numeral 36) is used.

It is respectfully submitted that the element 36 is a recess complementary to the projecting tongues 37 of the stator to mount it thereto. It is therefore evident that Couture *et al.* does not teach a biasing action to apply a surface of the cooling device to a surface of the stator, but rather a tongue and groove arrangement to attach these two elements without a biasing action.

It is therefore respectfully requested that the anticipation rejection based on Couture *et al.* be removed.

The examiner has rejected claims 1 and 30-32 under 35 USC 102(b) as being anticipated by Elris *et al.* (US 4,814,651).

In the outstanding Office Action, the Examiner states that claims 1 and 30-32 are anticipated by Elris *et al.* More specifically, the Examiner argues that Elris *et al.* shows a cooling device (numeral 10, 4) and that a biasing element (bolts 88) is used.

It is respectfully submitted that the bolts 88 of Elris *et al.* are not biasing elements as argued by the Examiner. Indeed, the bolts 88 are longitudinally aligned with the axis of the motor and therefore do not bias a surface of the cooling device onto a surface of the stator. Furthermore, the fins 10 are integral with the element 4 and define the casing of the generator. Accordingly, there is no separate cooling device that has to be mounted to the stator.

At least for these reasons, it is respectfully requested that the anticipation rejection based on Elris *et al.* be removed.

The examiner has rejected claims 1-5 and 28-32 under 35 USC 102(b) as being anticipated by Nakano (US 6,114,784).

In the outstanding Office Action, the Examiner states that claims 1-5 and 28-32 are anticipated by Nakano. More specifically, the Examiner argues that Nakano shows a cooling device (numeral 44, 45) and that a biasing element (numeral 43a) is used.

The applicant respectfully disagrees with the Examiner. First, reference numerals 44 and 45 respectfully refer to a stator bracket and to a front plate. It is therefore not clear why the Examiner considers these elements to be a cooling device. Furthermore, column 5, lines 20-29 describe the cooling jackets of Nakano's motor. It is clear that these jackets are used to cool the motor and that there is no external surface that has to be biased against a surface of the stator.

At least for this reason, it is respectfully requested that the anticipation rejection based on Nakano be removed.

It is therefore respectfully submitted that claims 1-5 and 28-32 are not anticipated by any of the prior art of record. Accordingly, it is respectfully requested that these rejections be removed.

Allowable subject matter

In the Office action, the Examiner states that claims 6 to 27 are objected to as being dependent upon a rejected base claim. Claim 6 has been amended to include the subject matter of claim 1 to thereby place claims 6 to 27 in a condition for allowance. Allowance of said claims is respectfully requested.

Conclusion

For at least the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance. Accordingly, a timely notification of allowance is courteously requested. If, for any reason, the Examiner is inclined to further reject any of the claims, Applicants requests that counsel be contacted to resolve any remaining issues. Reconsideration is requested and favorable action is solicited.

Respectfully submitted,

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

I hereby certify that this Amendment and Response and any paper or document referred to therein as being attached or enclosed is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 27, 2004.

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